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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,912	09/20/2000	Morihiro Murata	51270-024 5656	5458

7590

04/18/2003

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EXAMINER

PSITOS, ARISTOTELIS M

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 04/18/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/665,912

Applicant(s)

MURATA, MORIHIRO

Examiner

Aristotelis M Psitos

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-27, 29 and 31 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7, 9-11, 13-17, 28 & 30 is/are rejected.
- 7) ☒ Claim(s) 4, 8 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/7/03 & 12/27/02 have been entered.

Specification

The amendment to the title of the invention is greatly appreciated and has been entered.

The indication of previously allowed subject matter as stated in the Office action of 7/3/02 is hereby withdrawn in view of the newly discovered art. The examiner regrets any inconvenience to applicant and his representative.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 14-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to these claims, the phrase "'located at a subsequent section of the pma area" is not clearly understood. Subsequent to what? No art rejection is present against these claims until the examiner can properly understand what this phrase is attempting to define.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over either the acknowledged prior art or Lee et al further considered with Inoue and all further considered with Green Jr., et al.

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With respect to claim 1, the acknowledged prior art (as stated in the specification) discloses previous optical records having both id information and track address information contained in the PMA area. Alternatively, Lee et al discloses such see the discussion with respect to figures 3-7.

Furthermore, applicant as being part of the prior art also acknowledges logical erasing, and such is also taught by the Inoue reference.

With respect to the remaining limitation, reserving the section/frames which contain the disc id information, the examiner considers such to be obvious to those of ordinary skill in the art as further taught by Green, Jr., et al: i. e., the erasure of the address information (location of the information) while keeping the id of the disc type. Retention of desired information.

Hence, It would have been obvious to modify the base system of either the acknowledge prior art, or the combination of Lee et al and Inoue by the above teaching from Green Jr., et al motivation would be to retain information indicative of the disc id, and erase the track address information as required when either updating or rewriting data information at the selected track location(s).

With respect to claim 29, the hardware listed in this claim is found in the above documents.

With respect to claim 30, the record in the above references is interpreted to be "machine readable" and the processing steps occur as the above system(s) operate, and hence the examiner interprets the claimed limitations to be met.

4. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 1 above, and further in view of Ikeda et al or Lee et al.

With respect to the claims,

With respect to claim 2: the ability of having the id information at: predetermined leading section of the pma area" is considered to be taught by either of the above documents – note in Ikeda et al the reading of the serial no. of the disc, hence disc id, or in Lee et al figure 4, which is interpreted to be in the so claimed area.

With respect to claim 10: the ability of having the id information at "a part of a leading section of the PMA area", again the above documents are noted and the examiner interprets that the id frames met this limitation.

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It would have been obvious to modify the references as relied upon with respect to claim 1, and further modify such with the above noted teaching from either Ikeda et al/Lee et al, motivation is to place the id frames at the appropriate place in the leading section of the pma area since id information requires less frames than the address information for all the tracks on the disc.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 1 further considered with Misaizu et al.

Claim 3 includes all the limitations of claim 1, plus the additional sectionalization of the frames.

Misaizu et al teaches in this environment the ability of having 10 frame(s) blocks – see col. 5 lines 50 plus.

It would have been obvious to modify the references as stated above in paragraph 3 with the additional ability taught by Misaizu et al so as to decrease the processing time (processing in units of 10 frames).

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 1 further considered with Takeuchi.

Claim 5 includes all the limitations of claim 1, with the additional ability of having the reserving step rewrite the id information at the appropriate condition. The examiner interprets this as being at a condition when an interruption/power lost, etc occurs in a composite disc system having volume identification information temporarily lost due to system failure(s), and having such rewriting as taught by the Takeuchi reference at col. 8 line 1 to col. 9 line 32.

It would have been obvious to modify the references as stated above in paragraph 3 with the additional teaching from Takeuchi; motivation is to provide for lost information.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as relied upon with respect to claim 1 as stated above further with either Ikeda et al or Lee et al.

Claim 6, recites the limitations of claim 1 with the additional requirement that the id frames are located at a leading section of the PMA.

Such is considered to be taught by either Ikeda et al – see the description with respect to reading the disc serial no. information, or Lee et al – see the description of figure 4 thereof.

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It would have been obvious to modify the reference as stated above in paragraph 3, with the additional teaching from either Ikeda et al or Lee et al, motivation is to logically arrange the placing of the id frames.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 6 above, and further in view of Takeuchi.

The limitations of claim 9 are found in Takeuchi – see the above description in paragraph 6 (with respect to the rewrite ability).

It would have been obvious to modify the references as relied upon with respect to claim 6 as stated in paragraph 7 and further modify them with the above rewrite ability taught by Takeuchi, motivation is to replace lost information.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 6 and further considered with Misaizu et al.

Claim 7 includes the limitations of claim 6 plus the additional required 10-frame sectionalization. Misaizu et al teaches such a sectionalization.

It would have been obvious to modify the references as relied upon with respect to claim 6 as stated in paragraph 7 above further with the above teaching from Misaizu et al, motivation is to reduce the processing time, by processing in block units.

10. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 10 further considered with Misaizu et al.

Claim 11 includes the limitations of claim 10 (already addressed above in paragraph 4) with the additional sectionalization of the frames. Misaizu et al teaches such – see the above description of Misaizu et al as stated above in paragraph 5.

It would have been obvious to modify the references as stated above in paragraphs 3 & 4 with the above teaching as stated in paragraph 5, motivation is to provide for quicker processing time – processing in blocks of 10 frames.

11. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 2 above and as further modified by the teaching from Takeuchi.

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Claim 13 includes the limitations of claim 2 wherein the id frames are located at a "part of a leading section of the pma".

The examiner interprets either Ikeda et al or Lee et al to teach such.

Ikeda et al with respect to teaching the serial no. of the disc is found preceding the address information, while Lee et al with respect to placing the id information as depicted in figure 4 ahead of the track information. The examiner interprets the frames that contain this information to meet the claim language "located as a part of a leading section of the PMA area".

Claim 13 also includes the ability of rewriting the id frames when the appropriate condition exists.

Takeuchi is relied upon for such as stated above in paragraph 6.

It would have been obvious to modify the references stated above in paragraph 4 with the additional teaching as stated in paragraph 6, motivation is to replace lost information and hence permitting resumption of processing.

Allowable Subject Matter

Claims 4, 8, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 18-27, 29 and 31 are allowable over the art of record.

Mikamo is cited as illustrative of a directory erasing process in this environment:

Inokuchi et al is cited as illustrative of a 50-frame pma area.

Hashimoto teaches pma information erasing as well as data erasing in the designated track address.

Tsukatani et al – various cd-r id codes.

Any inquiries concerning missing papers/references, etc. must be directed to Group 2600 Customer Services at (703) 306-0377.

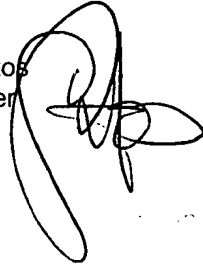
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aristotelis M Psitos whose telephone number is (703) 308-1598. The examiner can normally be reached on M-Thursday 8 - 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (703) 305-6137. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Aristotelis M Psitos
Primary Examiner
Art Unit 2653



AMP
April 16, 2003